



UNITED STATES PATENT and TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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Mailed: JAN 24 2003

mfh

Paper Number: # 11

In re application of

Idei et al.

Serial No. 09/508,617

Filed: March 14, 2000

For: PAPER FOR USE IN BOTH INK-JET
RECORDING AND ELECTRO-
PHOTOGRAPHIC RECORDING

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: DECISION ON
: PETITION
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This is a response to the Request for Withdrawal of Holding of Abandonment, filed September 13, 2002. The petition requests that the abandonment, as set forth in the Notice of Abandonment of September 5, 2002, for failure to timely file a proper response to the Office letter mailed March 22, 2002, be withdrawn. The petitioner asserts that the Office letter was not received by the applicants or any authorized representative of the applicants.

DECISION

The instant request is accepted as a timely petition under 37 C.F.R. 1.181 (no fee), and is evaluated under the procedures regarding an acceptable showing of non-receipt of an office action. See MPEP 711.03(c)(II).

The evidence presented is sufficient to establish that the above noted Office letter was not received by petitioner. The evidence provided includes a statement by the petitioner that the Office letter was not received, a statement that a search of the file and docket records was made, and a statement that the search revealed the Office letter was not received. Also provided is a copy of the attorney's application docket records where the Office letter would have been posted had it been timely received.

Therefore, the abandonment is hereby withdrawn, and the application is returned to pending status. The application shall be forwarded to the examiner for prompt remailing of the Office letter to the correspondence address and restarting of the statutory period of response from the remail date thereof.

The Petition is **GRANTED**.



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